

**A SUBSTITUTE ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

07-0-0466

A SUBSTITUTE ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, AUTHORIZING THE MAYOR EXECUTE AMENDMENT AGREEMENT NO. 1 WITH SYSTEMS & SOFTWARE INC. FOR FC-6004007863, CUSTOMER INFORMATION/BILLING SYSTEM ("CIS"), ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; WITH NO ADDITIONAL FUNDING REQUIRED; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into an agreement with Systems & Software, Inc. pursuant to 05-R-0648; and

WHEREAS, the term of the agreement was for eighteen (18) months with a one (1) year maintenance agreement expiring on December 31, 2006; and

WHEREAS, the Chief Procurement Officer issued a 90-day extension which expires on March 30, 2007; and

WHEREAS, the City desires to extend the term of the original Agreement by amendment for an additional eighteen (18) months to allow for the completion of the design and implementation of the CIS to provide bill print services; and

WHEREAS, the Commissioner of the Department of Watershed Management has recommended the execution of Amendment Agreement No. 1 with Systems & Software, Inc.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

Section 1: That the Mayor is authorized to execute Amendment Agreement No. 1 with Systems & Software, Inc., FC-6004007863, Customer Information/Billing System, for the design and implementation of the CIS.

Section 2: That the term of the original Agreement will be amended and extended from March 30, 2007 through November 30, 2008.

Section 3: That the Chief Procurement Officer is directed to prepare an appropriate Amendment Agreement for execution by the Mayor.

Section 4: That the Amendment Agreement No. 1 will not become binding upon the City and the City will incur no obligation or liability under it until it has been executed by

the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Systems & Software, Inc.

Section 5: That all ordinances or parts of ordinances in conflict with this ordinance are waived for this instance only.

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WHEREAS, the City of Atlanta ("City") entered into an agreement with Systems & Software, Inc. pursuant to 05-R-0648; and

WHEREAS, the term of the agreement was for eighteen (18) months with a one (1) year maintenance agreement expiring on December 31, 2006; and

WHEREAS, the Chief Procurement Officer issued a 90-day extension which expires on March 30, 2007; and

WHEREAS, the City desires to extend the term of the original Agreement by amendment for an additional eighteen (18) months to allow for the completion of the design and implementation of the CIS to provide bill print services; and

WHEREAS, the Commissioner of the Department of Watershed Management has recommended the execution of Amendment Agreement No. 1 with System & Software, Inc.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1: That the Mayor is authorized to execute Amendment Agreement No. 1 with Brown and Caldwell for Systems & Software, Inc., FC-6004007863, Customer Information/Billing System, for the design and implementation of the CIS to provide bill print services with no additional funding requirements.

SECTION 2: That the term of the original Agreement will be amended and extended from March 29, 2007 through November 29, 2008.

SECTION 3: That the Chief Procurement Officer is directed to prepare an appropriate Amendment Agreement for execution by the Mayor.

SECTION 4: That the Amendment Agreement No. 1 will not become binding upon the City and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Systems & Software, Inc.

SECTION 5: That all ordinances or parts of ordinances in conflict with this ordinance are waived for this instance only.

Part II: Legislative White Paper:

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities Committee

Caption: AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 1 WITH SYSTEMS & SOFTWARE INC. FOR FC-6004007863, CUSTOMER INFORMATION/BILLING SYSTEM ("CIS"), ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; WITH NO ADDITIONAL FUNDING REQUIRED; AND FOR OTHER PURPOSES.

Council Meeting Date: April 16, 2007

Requesting Dept.: Watershed Management

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

To amend the contract to allow for a reduction in the scope of services and to extend the current expiration date for a period of six (6) months, with a new expiration date of December 14, 2007.

2. Please provide background information regarding this legislation.

Details are covered in the attached Exhibit A-1

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Assumption Agreement
- (b) **Source Selection:**
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**

- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:
- (h) Term of Contract:

4. Fund Account Center:

5. Source of Funds:

6. Fiscal Impact: \$167,547.00

7. Method of Cost Recovery: Water Revenue

This Legislative Request Form Was Prepared By: Gwendolyn J. Carswell, Contracting Officer, Sr., Ext. 6331.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Megan S. Middleton



Contact Number: 6207

Originating Department: Watershed Management

Committee(s) of Purview: Finance and Executive Committee

Council Deadline: February 26, 2007

Committee Meeting Date(s): March 28, 2006 Full Council Date: April 16, 2006

SC^P Commissioner Signature Robert J. Hunter

CAPTION

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 1 WITH SYSTEMS & SOFTWARE INC. FOR FC-6004007863, CUSTOMER INFORMATION/BILLING SYSTEM ("CIS"), ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; WITH NO ADDITIONAL FUNDING REQUIRED; AND FOR OTHER PURPOSES.

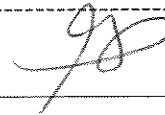
FINANCIAL IMPACT (if any) \$00.00

Mayor's Staff Only

Received by Mayor's Office:

3.2.07
(date)

Reviewed by:



Submitted to Council:

3/29/07
(date)